

HIGH COURT OF CHHATTISGARH, BILASPUR

WPC No. 1104 of 2015

1. Satish Sharma S/o Shri Ramgopal Sharma Aged About 54 years R/o Kunkuri P.S. Kunkuri District Jashpur (Chhattisgarh).

2. Deepak Sharma S/o Shri Ramgopal Sharma Aged About 51 Years R/o Kunkuri P.S. Kunkuri District Jashpur (Chhattisgarh).

---- Petitioners

Versus

1. State Of Chhattisgarh S/o Through Its Secretary Nagriya Prashashan, Mantralaya Mahanadi Bhavan Naya Raipur (Chhattisgarh)

2. Nagar Panchayat Kunkuri District Jashpur, Through Its Mukhya Nagar Palika Adhikari, Nagar Panchayat, Kunkuri District Jashpur (Chhattisgarh)

3. Collector, Jashpur, District Jashpur (Chhattisgarh).

4. Sub-Divisional Officer (Revenue) Kunkuri, District Jashpur (Chhattisgarh).

5. Tahsildar, Kunkuri District Jashpur (Chhattisgarh).

6. Police Station Incharge, Kunkuri District Jashpur (Chhattisgarh)

---- Respondents

For petitioner/s	:	Shri Suresh Pandey, Adv.
For respondents/ State	:	Shri Satish Gupta, Govt. Adv. advance copy.

Order On Board

30/06/2015

This petition has been filed by the petitioner aggrieved by notices issued by Nagar Panchayat requiring the petitioners to remove encroachment.

2. Learned counsel for the petitioner submits that the petitioners are the owner and in possession of land admeasuring 0.012 acres comprising in khasra No.116/4. He submits that they have not encroached upon any part of land in Khasara No. 116/1. It is submitted that at present application for grant of lease of a parcel of land comprised in Khasara No. 116/1 is pending.

3. Considering the submission of learned counsel for the parties, this petition is disposed off with a direction to respondent No.1 to carry out demarcation in the presence of petitioner to find out whether the petitioners have encroached any part of land comprised in Khasra No. 116/1. The petitioner shall appear before respondent No.2 within a period of 30 days from today before the Chief Municipal Officer of Nagar Panchayat, Kunkuri with a written application and a copy of this order which is now being passed. Within 30 days, spot inspection and demarcation shall be carried out and thereafter, if the petitioners are found to have encroached, the Nagar Panchayat shall be at liberty to take appropriate action for removal of encroachment, if any, found at the spot.

4. Accordingly, the petition is disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge